

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION

JOHN GIBSON  
ADC #500393

PLAINTIFF

v.

No. 5:18-cv-103-DPM

NICHOLAS D. SWINEY, Sergeant,  
Cummins Unit; APRIL GIBSON,  
Grievance Officer, Cummins Unit; and  
STRAUGHN, Warden, Cummins Unit

DEFENDANTS

ORDER

Unopposed recommendation, No. 4, adopted. FED. R. CIV. P. 72(b) (1983 addition to advisory committee notes). Gibson's complaint will be dismissed without prejudice for failure to state a claim. This dismissal counts as a "strike" for purposes of 28 U.S.C. § 1915(g). An *in forma pauperis* appeal from this Order and accompanying Judgment would not be taken in good faith. 28 U.S.C. § 1915(a)(3).

So Ordered.

D.P. Marshall Jr.  
D.P. Marshall Jr.  
United States District Judge

16 May 2018